

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the independent claims to claim a list of a plurality of content providers that store that claimed data. In addition, Applicant further claims that the list of the plurality of content providers is updated to include a client as an additional content provider for the claimed data. No new matter has been added as a result of these amendments as they are supported by the dependent claims as originally filed, and in paragraph 26 on page 7, *intra alia*, of the specification as originally filed.

Rejections

Rejections under 35 U.S.C. § 103(a)

Claims 1, 2, 4, 7-11, 14-21, 24-28, 30, 31, 33, 36-40 and 43-50

Claims 1, 2, 4, 7-11, 14-21, 24-28, 30, 31, 33, 36-40 and 43-50 stand rejected under 35 U.S.C. § 102(c) as being unpatentable by Levy et al., U.S. Publication 20030174861 (previously cited) and Stefik et al., U.S. Patent No. 5,638,443. Applicant does not admit that Levy is prior art and reserves the right to challenge it at a later date. Nevertheless, Applicant respectfully submits that this combination does not teach each and every element of the invention as claimed in claims 1, 2, 4, 7-11, 14-21, 24-28, 30, 31, 33, 36-40 and 43-50.

Levy discloses a system of distributors licensed to distribute content to end users. The distributors include owners of the content, such as the artist or copyright holder. The distributors can embed links (OID) in the content that points to additional information associated with the content, i.e., metadata. Levy further discloses that if an end user receives content without a link, the end user can embed a link to metadata created by the end user. Subsequent end users of the content will then be directed to the metadata created by this end user.

Stefik discloses a system for controlling use and distribution of composite digital works. A consumer of the composite digital work can redistribute the composite digital work.

In claims 1, 2, 4, 7-11, 14-21, 24-28, 30, 31, 33, 36-40 and 43-50, Applicant claims that in response to a client applying the distribution tool, updating the list of the plurality of content providers of said data to include the client as the additional content provider for said data. The Examiner admits that Levy does not disclose applying the distribution tool to said data to identify said client as an additional content provider (Office Action, p. 3). Thus, Levy cannot teach or suggest updating the list of content providers in response to the client applying the distribution tool as claimed.

Stefik discloses that customers can redistribute content but is silent on how those redistributing customers are identified to other clients that want to receive the content. Thus, Stefik cannot be properly interpreted as teaching or suggesting updating the list of content providers in response to the client applying the distribution tool as claimed. Therefore, neither Levy nor Stefik teach or suggest the claimed element.

Accordingly, Applicant respectfully submits that the invention claimed in claims 1, 2, 4, 7-11, 14-21, 24-28, 30, 31, 33, 36-40 and 43-50 is not unpatentable over Levy and Stefik under 35 U.S.C. § 103(a) and respectfully requests the withdrawal of the rejection of the claims.

SUMMARY

Claims 1, 2, 4, 7-11, 14-21, 24-28, 30, 31, 33, 36-40 and 43-50 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x3476.

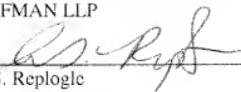
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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